

1/1/2017

ADA & Title VI Policy Handbook

Town of Veedersburg, Indiana



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ADA & TITLE VI COORDINATOR

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Section 1

ADA

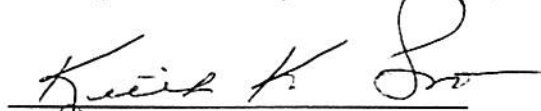
ORDINANCE #10-2012
AN ORDINANCE ADOPTING AN ADA
TRANSITION PLAN FOR THE TOWN OF VEEDERSBURG

WHEREAS, Title II of the "Americans with Disabilities Act" (ADA) is the title that applies to town governments and requires nondiscrimination on the basis of disability in local government services; and

WHEREAS, Title II requires that all individuals with disabilities are accessible to all programs, services and activities of public entities.

NOW THEREFORE, the Town Council of Veedersburg adopts the attached ADA Transition Plan for the Town of Veedersburg. The purpose of this Plan is to ensure that the citizens of Veedersburg are provided full access to the town's programs, services and activities in as timely a fashion as is reasonably possible. The Town's elected officials and staff believe the ability to accommodate disabled persons is essential to good customer service, the quality of life Veedersburg residents seek to enjoy and to effective governance.

Council of Veedersburg this 27th day of December, 2012.







ADOPTED by the Town


Clerk-Treasurer

Attest:

Town Council of Veedersburg

TOWN OF VEEDERSBURG ADA TRANSITION PLAN

INTRODUCTION

Title II of the “Americans with Disabilities Act” (ADA) is the title that applies to public entities like state, city & town governments. The Americans with Disabilities Act of 1990 is divided into a number of titles. Title II requires nondiscrimination on the basis of disability in state and local government services. These “public entities”-including departments, agencies, or other instrumentalities-are required to comply with the ADA.

Title II of the ADA therefore requires that all Programs, Services and Activities (PSA’s) of public entities, including those considered “instrumentalities” of the government, assure that individuals with disabilities have access to all of their:

- Programs
- Services
- Activities

Program accessibility means that, when viewed in its entirety, each program is readily accessible to, and usable by, individuals with disabilities. Program accessibility is necessary not only for individuals with needs related to mobility disabilities, but also to individuals with needs related to speech, cognitive, vision and hearing disabilities. The following are simply a few examples of barriers to accessibility:

Physical Barriers

- Parking
- Path of Entry/Travel
- Doors
- Service Counters
- Restrooms

Programmatic Barriers

- Building Signage
- Customer Communication and Interaction
- Access to Public Telephones
- Communications (via internet, public meetings, telephone)
- Participation opportunities for events sponsored by the Town

Town facilities, programs, services, policies, practices and procedures will continue to be surveyed on an on-going basis, and the ADA Transition Plan may be revised to account for changes to Town activities. An accessibility inventory of sidewalks and curb ramps on streets

will be completed, and an approach put in place to ensure that all public ramps to sidewalks are handicap accessible.

PURPOSE

The purpose of the Plan is to ensure that the citizens of Veedersburg are provided full access to the Town's programs, services and activities in as timely a fashion as is reasonably possible. The Town's elected officials and staff believe the ability to accommodate disabled persons is essential to good customer service, the quality of life Veedersburg residents seek to enjoy and to effective governance. This Plan has been prepared after careful study of all of the Town's programs, services and activities.

STATEMENT OF ACCESSIBILITY

The Town of Veedersburg shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the Town can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. The Town of Veedersburg will not place surcharges on individuals with disabilities to cover the cost involved in making programs accessible.

I. PHYSICAL BARRIERS

The Town owns a very limited number of properties, and accordingly does not have many options on locations from which it can offer programs, activities and services without incurring significant financial cost. Below is a list of the Town's facilities:

- I. Town Hall, 100 South Main Street, Veedersburg, IN 47987
- II. Fire Station, 100 South Main Street, Veedersburg, IN 47987
- III. Hub Park, Veedersburg, IN 47987
- IV. Sterling Park, Sterling Avenue, Veedersburg, IN 47987
- V. Scout Cabin, 5th Street, Veedersburg, IN 47987
- VI. Waste Treatment Office & Plant, 48 Trestle Road, Veedersburg, IN 47987
- VII. Water Department, 110 Railroad Avenue, Veedersburg, IN 47987
- VIII. Electric Department, 110 Railroad Avenue, Veedersburg, IN 47987

A self-evaluation/assessment of each of the Town's physical facilities will be conducted in conjunction with the execution of this Plan. Deficiencies in the Town of Veedersburg's physical features of facilities that diminish the ability of disabled persons to benefit from the Town's programs, services and activities will be identified. A correction plan or other course of action will be noted for each deficiency, along with a schedule for completion of the correction.

A. BASELINE CONDITIONS

Each of the Town's facilities will be reviewed in light of several "baseline" conditions, including:

1. Access to parking and entry into the facilities themselves
2. Access to a clear and distinct path of travel
3. Access to programs and services themselves
4. Access to public areas and restrooms
5. Access to related amenities

B. CRITERIA FOR DETERMINING EXISTENCE OF IMPEDIMENT

Criteria will be established to determine whether corrective action needs to be taken at a particular facility. The criterion includes, but is not limited to:

1. *The nature of unique programs or services.* Some facilities and sites are the only location that a particular program or service may be provided
2. *Facilities already in compliance with ADA accessibility guidelines.* Town Hall and the Fire Station are the only facilities that were constructed after the effective date of the ADA
3. *Current state of accessibility.* The current condition of each facility in terms of barriers already removed, or planned to be removed, will be identified by Town administration
4. *Cost.* The cost of alternatives to physical barrier removal versus the cost of an alternative corrective action plan

The Town recognizes not all barriers to the Town's programs, service and activities are physical in nature. Other administrative barriers exist that must be overcome to provide complete government services to those who are disabled.

A. COMMUNICATIONS

The Town's plan incorporates steps to ensure that communications with people with disabilities are as effective as communications with others. Effective communication means that whatever is written or spoken must be as clear and understandable to people with disabilities as it is for people who do not have disabilities.

There are types of communications that the Town handles, including communications relating to Town administration and open public meetings regarding the Town's services. The Town is in the process of:

- Identifying local resources for auxiliary aids and services
- Identifying ways of producing documents in Braille or acquiring other aids or services, including software that can convey text into speech

- Identifying qualified interpreter services and other providers so that interpreters and other aids may be available on short notice

The Town is taking additional specific actions to improve communications, including the following:

1. **Agenda text.** The Town will begin printing certain portions of meeting agendas in large-font type so that the content of agendas of public meetings can be more easily reviewed. Major agenda points will be printed in 14 point font.
2. **Web site Communication.** The Town is in the process of creating a web site, which will allow for enlargement so that the contents of agendas may be viewed from one's personal computer. The Town will explore software with its web site operator to insure handicap accessibility.
3. **Accommodations for hearing impaired persons/use of auxiliary aids.**
The Town will research the feasibility of incorporating equipment, available upon request, specially designed to assist hearing impaired persons to fully participate in Town Council meetings.
4. **Participation in/accessibility to public meetings.** The Town has, as discussed above, taken efforts toward ensuring public meetings are held in ADA-accessible facilities. The Town conducts all public meetings in ADA accessible facilities, and to the extent feasible will make specific accommodations, where necessary, to ensure that meetings among residents and Town staff can be held within ADA accessible facilities.

CONCLUSION/ACTION LOG

The Town will continue to look for barriers to access in an effort to ensure that the disabled citizens of Veedersburg are given access to the Town's programs, services and activities.

To confirm follow-up on corrective actions required under the Plan, the Town will institute an ADA Action Log, documenting its efforts at compliance with the ADA. At a minimum, the Action log will identify items that are not ADA compliant and will include anticipated completion dates. After the adoption of this plan by the Governing Body of the Town, the ADA Action Log will be updated on an annual basis and be available upon request.

ADA GRIEVANCE POLICY AND PROCEDURES

This grievance procedure has been developed to provide for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations, which implement Title II of the Americans with Disabilities Act or Section 504 of the Rehabilitation Act. Grievances should be filed with the Town Clerk-Treasurer's Office at:

Town of Veedersburg
Attn: ADA Coordinator
100 South Main Street
Veedersburg, IN 47987
(765) 294-2728

The Grievance Procedure consists of the following:

1. A complaint should be filed in writing (but can be submitted in alternate format due to the needs of an individual's disability), containing the name and address of the person filing it, and briefly describing the alleged violation of the regulations or discriminatory act.
2. A complaint should be filed within 30 calendar days after the complainant becomes aware of the alleged violation. Processing of allegations of discrimination, which occurred before this grievance procedure was in place, will be considered on a case-by-case basis.
3. An investigation, as may be appropriate, will follow the filing of a complaint and will be conducted by the Town's ADA Coordinator. These rules contemplate informal but thorough investigations, affording all interested parties and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
4. The Town's ADA Coordinator along with the Town Council President will provide for review for the Town Attorney, a written determination, as to the validity of the complaint and a description of the resolution, if any, and a copy will be forwarded to the Town Council, along with the original complaint, no later than 30 days after its filing.
5. The Town's ADA Coordinator will maintain the files and records of the Town of Veedersburg relating to all ADA grievances/complaints filed.
6. The right of a person to a prompt and equitable resolution of the complaint filed hereunder will not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency, such as the U.S. Department of Justice at (800) 514-0301. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
7. These rules will be construed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that the Town of Veedersburg complies with the ADA and implementing regulations.

ADA GRIEVANCE FORM

Name: _____

Address: _____

Telephone: _____

Email Address: _____

Location of Problem: _____

Date Noticed: _____

Description of Problem: _____

****Please attach additional pages if needed***

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 30 calendar days after the alleged violation to:

Town of Veedersburg
Attn: ADA Coordinator
100 South Main Street
Veedersburg, IN 47987
(765) 294-2728

ACTIONS TO BE TAKEN/ACTION LOG

ACTIONS	TARGET DATE	COMPLETION
Town Hall Sidewalks & Curbs Replaced to Comply with ADA	January 2014	November 2014
Buzzer Installed for Utility Office Door for Assistance with ADA needs	January 2014	July 2014
Replace Sidewalks & Curbs Downtown to Comply with ADA OCRA Grant	July 2015	September 2015
Replace Sidewalks & Curbs on South Mill Street to Comply with ADA- INDOT grant	December 2018	
Contacted Speech Pathologist at Fountain Central High School to Provide Services for Hearing Impaired Customers	January 2014	January 2014
Contacted Spear Corporation to Install a Disabled Lift for the Swimming Pool	March 2015	
Agreement with Sondra Hernandez To Provide Interpretation Services When Requested	January 2014	January 2014